

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

AUG 02 2020

David J. Bradley, Clerk

United States of America
v.Jason CAVAZOS
(U.S.C. / YOB 1979)

Case No.

M-20-1451-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 31, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 USC 922(g)(1)

Offense Description

Unlawful to possess a firearm which has previously traveled in or affected interstate commerce, after having been convicted in a court of law of a crime punishable by imprisonment for a term exceeding one year.

This criminal complaint is based on these facts:

See Attached Affidavit

Submitted by reliable electronic means, sworn to, and attested to telephonically, per Fed. R. Cr. P. 4.1, and probable cause found on:

☒ Continued on the attached sheet.

Approved by AUSA Robert Guerra

/S/ Christopher Quijano

Complainant's signature

Christopher Quijano, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/02/2020 @ 4:07 PM

Judge's signature

City and state: McAllen, Texas

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Special Agent Christopher Quijano, affiant, do hereby depose and state the following:

On July 31, 2020, Agents from the Drug Enforcement Administration (DEA) were assisting Officers from the Edinburg Police Department conduct surveillance as part of a narcotics investigation. While conducting surveillance, Edinburg PD conducted a traffic stop on a silver Hyundai Elantra for failure to drive in a single lane.

Upon approaching the vehicle, law enforcement identified the driver as Jason Eric CAVAZOS (hereinafter referred to as CAVAZOS). CAVAZOS was acting abnormally nervous and law enforcement asked him to step out of the vehicle and conducted a "pat down" of CAVAZOS for purposes of officer safety. The pat down revealed a Smith and Wesson Smith & Wesson, model Bodyguard 380, .380 caliber pistol, bearing serial number EAK5654 in CAVAZOS' left front waistband. When asked if he possessed a license to carry a firearm, CAVAZOS admitted that he did not possess a concealed firearms permit, and further stated that he was a convicted felon.

A criminal history check of CAVAZOS revealed CAVAZOS was previously convicted of the State Jail Felony offense of Possession of a Controlled Substance on April 8, 2019 in the 430th Judicial District Court of Hidalgo County in Case Number CR-2552-17-J. This offense is a crime punishable by more than one year in prison.

Agents for the Bureau of Alcohol, Tobacco, and Firearms (ATF), were contacted and arrived to interview CAVAZOS. In a post-Miranda interview, CAVAZOS admitted to being a convicted felon, and possessing the firearm for personal protection.

ATF Interstate Nexus Expert Noel R. Rangel was contacted for an Interstate Nexus determination on Smith & Wesson, model Bodyguard 380, .380 caliber pistol, bearing serial number EAK5654. The ATF Interstate Nexus Expert determined that the firearm was found to be manufactured outside of the state of Texas and affects interstate or foreign commerce. The firearm is involved in a violation of 18 USC § 922(g)(1).